

CITY OF LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 03, 2004 PLANNING COMMISSION MEETING

P.A.S.: City/County Final Plat No.04010
Stevens Creek Pointe Addition

PROPOSAL: A final plat consisting of 7 lots and 3 outlots.

LOCATION: N. 134th Street and Adams.

LAND AREA: 147.733 acres, more or less

CONCLUSION: Final plat is in conformance with the preliminary plat and Community Unit Plan.

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: The N ½ of the SE 1/4 and Lot 33 I. T., all located in the Southeast Quarter of Section 6, Township 10 North, Range 8 East of the 6th P. M., Lancaster County, Nebraska.

ANNEXATION: The land area will not be annexed automatically with the approval of the final plat.

EXISTING ZONING: AG Agricultural in split City and Lancaster County Jurisdiction

EXISTING LAND USE: Farm land

SURROUNDING LAND USE AND ZONING: Agriculture, zoned AG on all sides. LES Transmission line on the west boundary and diagonally across the southern portion of this property. LES substation to the south. One single family residence abutting at the southwest corner and two single family residences to the northeast.

HISTORY: Stevens Creek Pointe Addition Preliminary Plat and Community Unit Plan were approved by the Lancaster County Board on February 6, 2001 and the Lincoln City Council on February 12, 2001. Changed from AA Rural and Public Use to AG Agricultural in the 1979 zoning update.

UTILITIES: Individual waste water systems are proposed. Lagoons will be permitted if percolation does not allow sub-surface fields. Cass County Rural Water is proposed. The

applicant has indicated they will provide water analysis to the satisfaction of the City/County Health Department if individual wells are proposed as an alternative.

TRAFFIC ANALYSIS: Adams and N.134th are gravel county roads. The closest paving is 148th Street, one mile east, connecting to “O” street and Holdrege Street one mile south.

ANALYSIS:

1. The final plat conforms to the approved preliminary plat and community unit plan.
2. The County Engineer’s letter of February 9, 2004 notes no direct objection. Bond amounts are provided for improvements that may not yet be in place. They are:

Signs and barricades	\$ 500.00
Seeding	\$ 2,000.00
Permanent Survey	\$ 1,500.00
Rock Surfacing	\$ 5,000.00
3. This requires both City and County approval. The Planning Director can approve for the City. The County Board must approve for the County.
4. LES notes the need for easements.
5. There are no delinquent taxes against the land and there are no liens for taxes which have been levied but not yet delinquent.
6. A subdivision agreement is required and will be submitted to the owners for their signature.

CONDITIONS:

1. Prior to scheduling this final plat onto the County Board’s agenda and signature by the Planning Director for the City:
 - 1.1 The Final Plat Mylar shall have the following changes made to it:
 - 1.1.1 Show a Certificate for the Planning Commission.
 - 1.1.2 Revise the Dedication to remove “Norris Public Power” and replace with Lincoln Electric System.

1.1.3 Revise Out Lot "C" to show a street name on sheets 2 and 3.

1.1.4 Provide a corrected Mylar signed in black opaque ink and six copies to the Planning Department.

1.2 All improvements must be in place and approved by the County Engineer or the bonds/escrows must be provided and found acceptable for those improvements not in place.

1.3 Water improvements must be in place (or an equivalent agreement) and approved by the Cass County Rural Water District or a water report must be provided to the Lincoln/Lancaster County Health Department and found acceptable for individual wells.

2. The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

2.1 To submit to the County Engineer an erosion control plan.

2.2 To protect the remaining trees on the site during construction and development.

2.3 To submit to lot buyers and home builders a copy of the soil analysis (and water report if available).

2.4 To complete the private improvements shown on the preliminary plat.

2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.

2.6 To relinquish the right of direct vehicular access to N. 134th Street except for LIZZY LANE and farm access to Out Lot "A". To relinquish the right of direct vehicular access to Adams Street except for farm access to OutLot "A".

2.7 To comply with the provisions of the Land Subdivision Ordinance and Resolution regarding land preparation.

- 2.8 To install street signs and barricades within two years following approval of the Final Plat.
- 2.9 To seed the right-of-way within two years following approval of the Final Plat.
- 2.10 To install permanent survey markers before construction on, or conveyance of any lot in this Final Plat.
- 2.11 To install rock surfacing on the private roadways within two years following approval of the Final Plat.

Prepared by:

Mike DeKalb, 441-6370, mdekalb@ci.lincoln.ne.us
Planner
February 18, 2004

APPLICANT: Brian D. Carstens
Brian D. Carstens and Associates
2935 Pine Lake Road, Suite H
Lincoln, NE 68516
(402) 474 - 2424

OWNER: Gerry A. and Dianne Krieser
5212 Troon Drive
Lincoln, NE 68526
(402) 327-0521

CONTACT: Brian D. Carstens



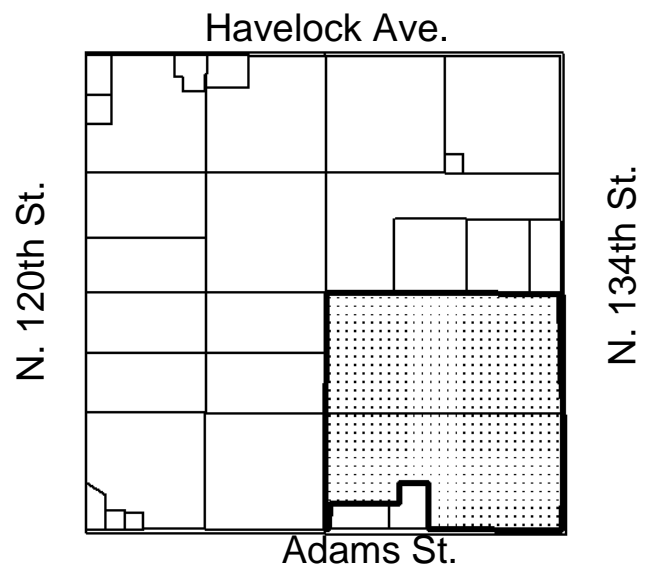
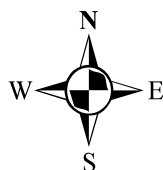
2002 aerial

Final Plat #04010 Stevens Creek Pointe Add

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 8 T10N R8E



STEVENS CREEK POINTE ADDITION

FINAL PLAT

BASED ON COUNTY PRELIMINARY PLAT #00027

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED THE SUBDIVISION TO BE KNOWN AS "STEVENS CREEK POINTE ADDITION", A SUBDIVISION OF THE NORTH ONE HALF OF THE SOUTHWEST QUARTER AND LOT 33 REGULAR TRACT, ALL LOCATED IN THE SOUTHWEST QUARTER OF SECTION 8 TOWNSHIP 10 NORTH RANGE 8 EAST OF THE SOUTH PRINCIPAL MERIDIAN, LANDOWNER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE EAST ONE QUARTER CORNER OF SECTION 8 TOWNSHIP 10 NORTH RANGE 8 EAST OF THE SOUTH PRINCIPAL MERIDIAN, AND THE CORNER OF SECTION 8 THENCE SOUTH 05-45-00 EAST (AN ABRASSED BEARING) ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 8 TOWNSHIP 10 NORTH RANGE 8 EAST OF THE SOUTH PRINCIPAL MERIDIAN A DISTANCE OF 2284.31 FEET, TO A POINT 308.60 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 8 THENCE SOUTH 05-15-00 WEST, A DISTANCE OF 33.50 FEET TO A POINT ON THE WEST RIGHT OF WAY OF NORTH 154TH STREET THENCE SOUTH 17-50-00 WEST ON SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 84.31 FEET THENCE SOUTH 05-45-00 EAST AND PARALLEL TO THE EAST LINE OF THE EAST LINE OF THE SOUTHWEST QUARTER, ON SAID RIGHT OF WAY A DISTANCE OF 348.31 FEET TO A POINT AT THE INTERSECTION OF THE RIGHT OF WAY OF NORTH 154TH STREET AND THE NORTH RIGHT OF WAY OF ADAMS STREET, THENCE NORTH 05-45-00 WEST ON SAID RIGHT OF WAY, AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 8 A DISTANCE OF 1486.31 FEET, TO THE SOUTHWEST CORNER OF LOT 33 LT. THENCE NORTH 05-45-00 WEST, AND PERPENDICULAR TO THE SOUTH LINE OF THE SOUTHWEST QUARTER, ON THE EAST LINE OF LOT 33 LT. A DISTANCE OF 514.50 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 33, THENCE NORTH 05-45-00 WEST AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER, ON THE NORTH LINE OF LOT 33 A DISTANCE OF 334.50 FEET, THENCE SOUTH 05-45-00 WEST AND PERPENDICULAR TO THE SOUTH LINE OF SAID QUARTER A DISTANCE OF 322.50 FEET THENCE NORTH 05-45-00 WEST AND PARALLEL TO THE WEST SOUTH LINE OF SAID QUARTER, ON THE NORTH LINE OF LOT 31 AND 32 LT. A DISTANCE OF 714.50 FEET, TO THE NORTHWEST CORNER OF LOT 31 LT. THENCE SOUTH 05-45-00 EAST AND PARALLEL TO THE WEST LINE OF THE SOUTHWEST QUARTER A DISTANCE OF 364.50 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF ADAMS STREET THENCE NORTH 05-45-00 WEST AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 84.50 FEET, TO A POINT AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY OF ADAMS STREET, AND THE WEST LINE OF THE SOUTHWEST QUARTER, THENCE NORTH 05-45-00 WEST ON SAID WEST LINE A DISTANCE OF 3284.31 FEET, TO THE CORNER OF SAID SECTION 10, THENCE NORTH 05-45-00 EAST ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 10, A DISTANCE OF 2616.61 FEET TO THE POINT OF BEGINNING, AND CONTAINING A CALCULATED AREA OF 64,363.15 SQUARE FEET OR 147.735 ACRES MORE OR LESS.

Permanent monuments (Iron pipe or 5/8" iron bars) have been placed at all lot corners, street intersections, public or corporate points of beginning, and at all other points required by the City of Lincoln, Land Subdivision Ordinance, Title 28 of the Lincoln Municipal Code.

All distances are chord measurements unless shown otherwise, and are in feet or decimals of a foot.

Signed this ____ day of _____, 20____.

Derek A. Brundage, L.S. 570
Allen Surveying

COUNTY BOARD APPROVAL

The foregoing plat and dedication was approved and accepted by the Lancaster County Board of Commissioners passed on the ____ day of _____, 20____.

County Clerk

PLANNING DIRECTOR'S APPROVAL

The Planning Director, pursuant to Section 30.11.080 of the LSC, hereby approves this Plat.

Planning Director

Date

DEDICATION

The foregoing plat known as "STEVENS CREEK POINTE ADDITION", and as described in the Surveyor's Certificate is made with the free consent and in accordance with the desires of the undersigned, sole owners, and the easements shown thereon are hereby granted in perpetuity to Lancaster County, Nebraska, Alford, Thos. Street, Editha Street, - Adams Street, Apple, North Public Power, their successors and assigns, to give effect to the purposes of construction, reconstruction, replacement, repair, operation and maintenance of streets, sidewalks, curbs, gutters, poles, towers, poles and equipment for the distribution of electricity and gas telephone and cable television telecommunication, storm drains water mains and all appurtenances thereto, over, upon or under the easements as shown on the foregoing plat.

The construction or location of any building or structure, including fences, over, upon or under an easement shown thereon shall be prohibited.

The construction or location of any fence or other improvement which obstructs drainage shall be prohibited over, upon, or under any storm drain easement or drainage easement shown thereon.

City of Lincoln, a municipal corporation and Lancaster County, Nebraska, its successors or assigns are hereby held harmless for the cost of replacement or damage to any improvement or vegetation over, upon or under any easement shown thereon.

The additional right-of-way shown thereon along North 154th Street is hereby dedicated to the public.

Direct vehicular access to North 154th Street is hereby relinquished except at Little Lane and one existing farm access. Direct vehicular access to Adams Street is hereby relinquished except at three existing farm access. Should farm access use change, then access will be relinquished.

Each residential lot shall have only one access.

WITNESS OUR HANDS THIS ____ day of _____, 20____.

Gerry A. Krieger, Husband, John T. Krieger

Marlene D. Krieger, Wife, John T. Krieger

ACKNOWLEDGMENT

STATE OF NEBRASKA

LANCASTER COUNTY

On this ____ day of _____, 20____, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said county, personally came Gerry A. Krieger, Husband, John T. Krieger, to me personally known to be the identified persons whose names is affixed to the dedication of the foregoing plat and he acknowledged the same to be his voluntary act and deed.

NOTARY PUBLIC

My commission expires the ____ day of _____, 20____.

ACKNOWLEDGMENT

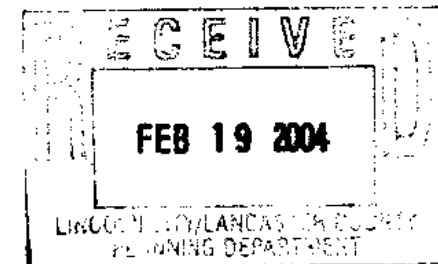
STATE OF NEBRASKA

LANCASTER COUNTY

On this ____ day of _____, 20____, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said county, personally came Marlene D. Krieger, Wife, John T. Krieger, to me personally known to be the identified person whose name is affixed to the dedication of the foregoing plat and she acknowledged the same to be her voluntary act and deed.

NOTARY PUBLIC

My commission expires the ____ day of _____, 20____.

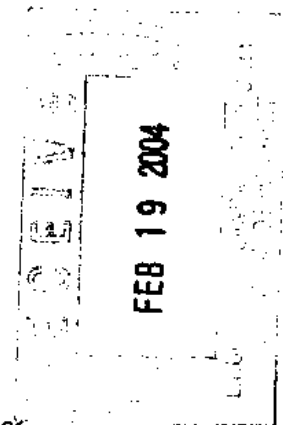
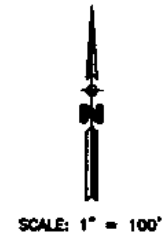
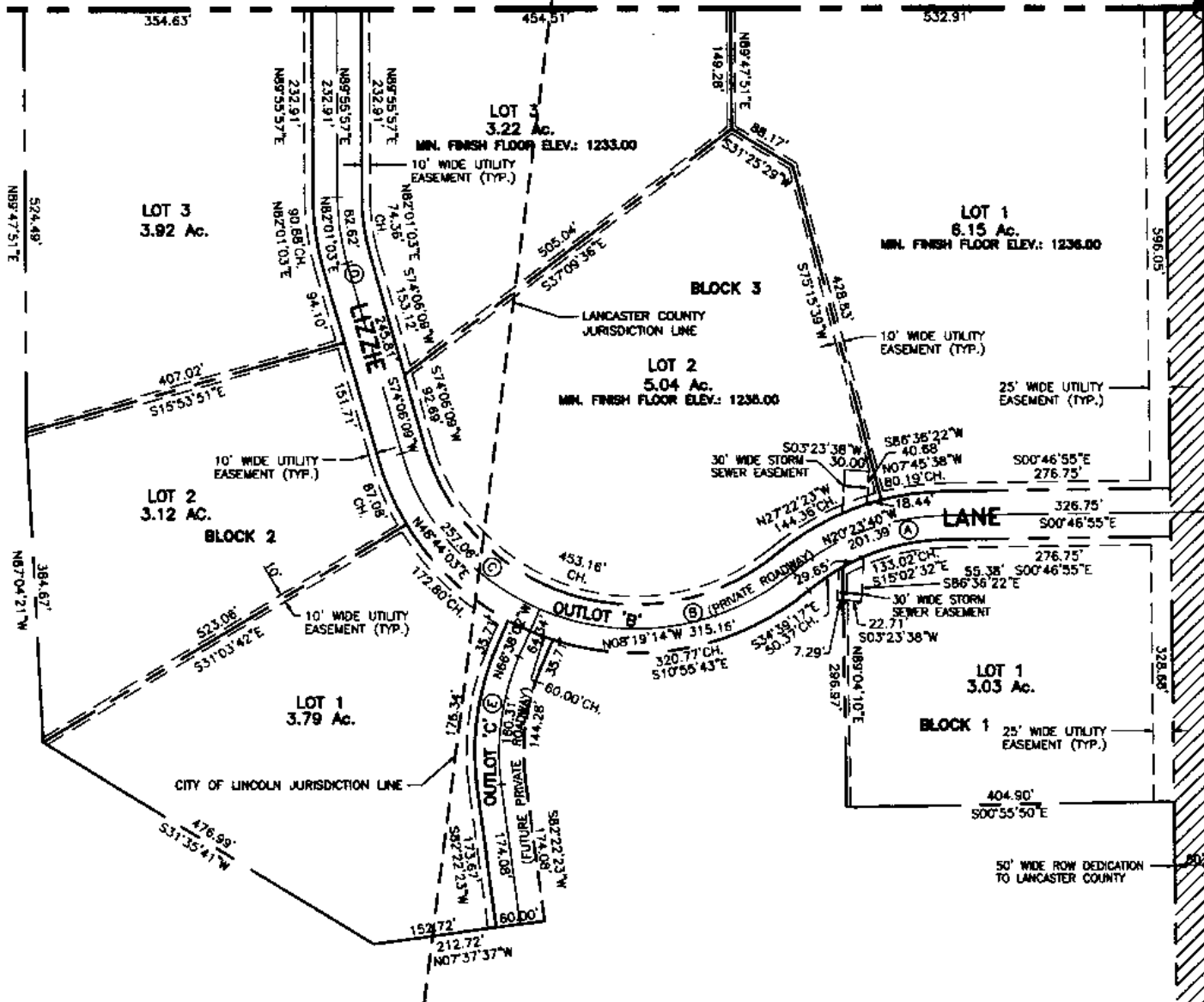


STEVENS CREEK POINTE ADDITION

FINAL PLAT
BASED ON COUNTY
PRELIMINARY PLAT #00027

N89°55'57"E
2619.51'M

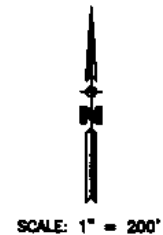
E. 1/4 Cor.
Sec. 8 T10N R8E Point of Beginning



2295.39'M
S00°46'55"E
2645.39'M 2645'R

STEVENS CREEK POINTE ADDITION

FINAL PLAT
BASED ON COUNTY
PRELIMINARY PLAT #00027



SEE PAGE 3 OF 3
FOR THIS AREA

OUTLOT 'A'
(EXISTING FARMING LINES TO CONTINUE)
114.04 AC.

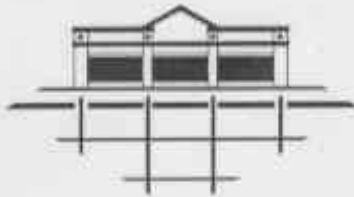
CITY OF LINCOLN JURISDICTION LINE
LANCASTER COUNTY JURISDICTION LINE

CURVE DATA:

A	B	C
R = 300.00'	R = 300.00'	R = 300.00'
Δ = 38°13'21"	Δ = 63°27'23"	Δ = 30°44'11"
T = 106.80'	T = 186.10'	T = 142.25'
L = 205.38'	L = 331.80'	L = 288.86'
Chord = 301.40'	Chord = 315.18'	Chord = 227.04'
Chang = N26°23'40"W	Chang = N62°18'14"W	Chang = S45°44'00"E
D	E	
R = 300.00'	R = 300.00'	
Δ = 19°49'46"	Δ = 37°38'36"	
T = 41.21'	T = 65.18'	
L = 82.88'	L = 182.38'	
Chord = 82.88'	Chord = 180.21'	
Chang = N82°01'03"E	Chang = N82°07'30"W	

FEB 19 2004

LINCOLN COUNTY RECORDS
PLAT # 00027



BRIAN D. CARSTENS AND ASSOCIATES

LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN

601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

January 28, 2004

Mr. Marvin Krout
Planning Department
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: Stevens Creek Pointe Addition
City & County Final Plat

Dear Marvin,

On behalf of Gerry & Dianne Krieser we are here within submitting the Final Plat for Stevens Creek Pointe Addition. We are creating 7 Single Family Acreage Lots as per the County Preliminary Plat #00027 and County Special Permit #185 and City Special Permit #1883 of Stevens Creek Pointe. Please note that 4 lots are located within the City of Lincoln Jurisdiction and 3 lots are located in the Lancaster County Jurisdiction.

Enclosed with this application is the following:

- 16 copies of the Final Plat
- Application for Lancaster County Final Plat
- Application for City of Lincoln Final Plat
- Final Plat Technical Checklist
- Lancaster County Application Fee - \$200.00
- City of Lincoln Application Fee - \$225.00

If you have any question, please give me a call.

Sincerely,

Brian D. Carstens *JDS*

Brian D. Carstens

cc: Mr. Gerry Krieser





Lancaster

County

Engineering

Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY - LARRY V. WORRELL
COUNTY SURVEYOR

DATE: February 9, 2004

TO: Mike DeKalb
Planning Department

FROM: Larry V. Worrell *Larry V. Worrell/cm*
County Surveyor

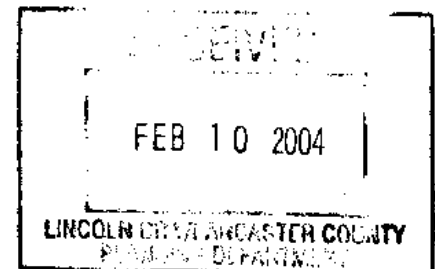
SUBJECT: STEVENS CREEK POINTE - FINAL PLAT

This office has reviewed subject Final Plat and has no objections provided the developer bond or escrow the following amount for improvements not complete:

Signs and Barricades	\$ 500.00
Seeding	\$2,000.00
Permanent Survey	\$1,500.00
Rock Surfacing	\$5,000.00

LVW/DP/cm

SUBDIV.WK\Stevens Creek Pointe Bond Escrow.Mem



**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE: February 6, 2004

DEPARTMENT: Planning

FROM: Chris Schroeder
Doug Smith

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File

SUBJECT: Stevens Creek Pointe

EH Administration

PP #0027 FP #04010

- In the preliminary plat of 9-27-00, the developer proposed the use of individual on-site wastewater treatment systems consisting of sub-surface systems or lagoons based on percolation test results. The preliminary plat of 9-27-00 indicates that a substantial area of Lot 1 is located in the 100 year flood plain. Standard septic systems cannot be located in flood plain. Lagoons may be located in flood plain provided the top of the dike extends a minimum of one foot above the flood elevation.
- In the preliminary plat of 9-27-00, the developer proposed the use of Cass County Rural Water for potable water supply. Verification should be provided to indicate that Cass County Rural Water will be the water source.

INTER-DEPARTMENT COMMUNICATION

-LES

DATE: February 10, 2004
TO: Mike Dekalb, City Planning
FROM: Sharon Theobald
Ext 7640
SUBJECT: DEDICATED EASEMENTS
DN#33N-130E

Attached is the Final Plat for Stevens Creek Pointe Addition.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements over Outlots B & C. Also, please note the Transmission Line Easement, identified as Instrument No. 70-12523 and noted on Sheet 2 of 3.

It should be noted, any relocation of existing facilities will be at the owner/developer's expense.

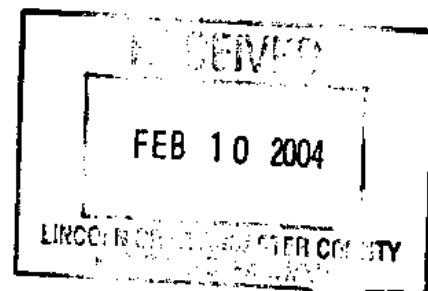
Please add, as a stipulation, the following:

Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards.

Landscaping material selections within easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.

Sharon Theobald

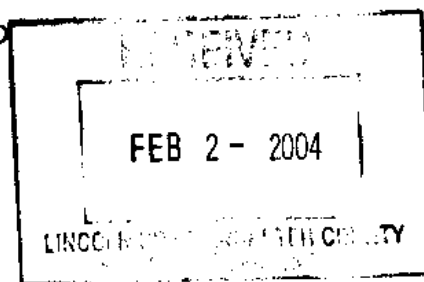
ST/ss
Attachment
c: Terry Wiebke
Easement File





AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090



January 30, 2004

Mike Dekalb
Project Planner
555 So. 10th ST.
Lincoln, NE. 68508

Dear Mike,

The enclosed plans are actually within the Lincoln Electric service boundary.
If you have questions feel free to contact our office at the above number.

Sincerely,

Sharlene Carmichael

NORRIS PUBLIC POWER DISTRICT
Sharlene Carmichael
Sr. Consumer Accounts Rep/ Area II
SC

Cc: Richard Volmer
Enclosures